



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,944	06/27/2003	Pascal Huyghe	064441.0263	8670

31625 7590 03/07/2006

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

AIRAPETIAN, MILA

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,944

Applicant(s)

HUYGHE ET AL.

Examiner

Mila Airapetian

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/27/2003.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 7-15, 18, 20 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Suttle et al. (hereinafter Suttle) (US 6,996,450).

Claim 1.

Suttle teaches a method for processing photomasks comprising:
electronically receiving a product order information file for the photomask component (col. 5, lines 55-56);

automatically translating the product order information file into a standard database format (col. 57, lines 57-61; col. 12, line 23);

automatically processing the translated product order information file using a rules engine to apply a predefined set of customer requirements to the product order information file such that the product order information file is loaded into an order entry module (col. 5, lines 57-61); and

using the order entry module to automatically create for the production of the photomask component according to the product order information file (col. 5, lines 62-65).

Claim 7. Suttle teaches said method, wherein the product order information file is in a semi-file based format (col. 6, line 63).

Claim 8. Suttle teaches said method, wherein the product order information file is in a non-semi-file based format (col. 6, line 64).

Claim 9. Suttle teaches said method, wherein the standard database format comprises a standard semi database format (col. 6, lines 63).

Claim 10. Suttle teaches said method, wherein the standard database format further comprises a customer specification information not included in the semi standard format (col. 6, line 64).

Claim 11. Suttle teaches said method, further comprising translating the product order information into a standard file format (col. 5, line 60).

Claim 12. Suttle teaches said method, further comprising configuring the product order information in extensible markup language (XML) format according to an XML configuration (col. 5, line 60, col. 12, line 23).

Claim 13. Suttle teaches said method, wherein the XML configuration includes specification information (col. 5, line 60, col. 12, line 23).

Claim 14. Suttle teaches said method, wherein the production data file for the production of a photomask component includes lithography instructions and patterning information (col. 9, lines 51-54).

Claim 15. Suttle teaches said method including using the product order information file to select a customer-specified order template for use in preparing the production data file for the production of the photomask component (col. 57, lines 57-61; col. 12, line 23).

Claim 18. Suttle teaches said method, further comprising maintaining the data necessary for production of the photomask component in the standard database format usable by a plurality of manufacturing sites (col. 11, lines 28).

Claim 20. Suttle teaches a method for processing photomasks comprising:

a computer-readable medium; and executable instructions encoded in the computer-readable medium, the executable instructions, operable to direct a computer to: electronically receive a product order information file (col. 5, lines 55-56);

automatically translate the product order information file into a standard database format (col. 57, lines 57-61, col. 12, line 23);

automatically process the translated product order information file using a rules engine to apply a predefined set of customer requirements to the product order information file such that the product order information file is loaded into an order entry module (col. 5, lines 57-61); and

automatically create a production data file for the production of the photomask component according to the product order information file (col. 5, lines 62-65).

Claim 28 is rejected on the same rationale as set forth above in Claim 14.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6, 21-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suttle in view of Morscheck et al. (hereinafter Morscheck) (US 6,076,080).

Claim 2. Suttle teaches all the limitations of claim 2 except automatically selecting a template including customer specifications based on at least one criteria; and

validating the product order information file by automatically comparing the product order information file to the template to identify any inconsistencies.

Morscheck teaches a forms order entry system comprising:

automatically selecting a template including customer specifications based on at least one criteria (col. 16, line 1); and validating the product order information file by automatically comparing the product order information file to the template to identify any inconsistencies (col. 3, lines 1-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include automatically selecting a template including customer specifications based on at least one criteria; and validating the product order information file by automatically comparing the product order information file to the template to identify any inconsistencies, as disclosed in Morscheck, because it would allow to avoid human mistakes as well as save funds.

Claim 3. Suttle teaches all the limitations of claim 3 except based on the validation of the product order information file, notifying an operator of identified inconsistency.

Morscheck teaches a forms order system wherein the Sales Rep is notified if some of the information is missing (col. 41, lines 6-8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include notifying an operator of identified inconsistency, as disclosed in Morscheck, because it would advantageously allow to notify recipients almost instantaneously thereby saving time.

Claim 4. Suttle teaches all the limitations of claim 4 except that notification comprises an email notification.

Morscheck teaches a forms order system wherein notification comprises an email notification (col. 5, line 62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include that notification comprises an email notification, as disclosed in Morscheck, because it would advantageously allow simultaneously control the process and thereby recognize possible problems.

Claim 5. Suttle teaches all the limitations of claim 5 except manually selecting a template for a product order information file.

Morscheck teaches a forms order system including manually selecting a template for a product order information file (col. 18, lines 11-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include manually selecting a template for a product order information file, as disclosed in Morscheck, because it would advantageously allow to adjust the selected process based on available information.

Claim 6. Suttle teaches all the limitations of claim 6 except that at least one criteria selected from the group consisting of customer, fabrication, product type, template grade and template region.

Morscheck teaches a forms order system wherein at least one criteria selected from the group consisting of customer, fabrication, product type, template grade and template region (col. 10, line 12).

Claim 21 is rejected on the same rationale as set forth above in Claim 2.

Claim 22 is rejected on the same rationale as set forth above in Claim 3.

Claim 23 is rejected on the same rationale as set forth above in Claim 5.

Claim 24. Suttle teaches a method for processing photomasks comprising:

electronically receiving a product order information file (col. 5, lines 55-56);

automatically translating the product order information file into an XML database format (col. 57, lines 57-61, col. 12, line 23);

automatically processing the XML database format using a rules engine to apply a predefined set of customer requirements to the product order information file such that the product order information file is loaded into an order entry module (col. 5, lines 57-61, col. 12, line 23);

using the order entry module to automatically create a production data file for directing the production of a photomask component according to the product order information (col. 5, lines 62-65).

However Suttle does not teach:

selecting a template including customer specifications based on at least one criteria indicated in the product order information file; and

validating the product order information by automatically comparing the product order information to the template to identify any inconsistencies.

Morscheck teaches a forms order system comprising:

selecting a template including customer specifications based on at least one criteria indicated in the product order information file (col. 16, line 1); and

validating the product order information by automatically comparing the product order information to the template to identify any inconsistencies (col. 3, lines 1-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include selecting a template including customer specifications based on at least one criteria indicated in the product order information file; and validating the product order information by automatically comparing the product order information to the template to identify any inconsistencies, as disclosed in Morscheck, because it would advantageously allow to avoid possible mistakes in processing customer request thereby increasing customer service.

Claim 25 is rejected on the same rationale as set forth above in Claim 3.

Claim 26 is rejected on the same rationale as set forth above in Claim 4.

Claim 27 is rejected on the same rationale as set forth above in Claim 5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 16, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suttle.

Claim 16. Suttle teaches said method, further comprising translating the product order information into a standard database format (col. 5, lines 58-61).

Suttle does not specifically teach that said *translating* step takes less than approximately one minute. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include that said *translating* step takes less than approximately one minute, because it would advantageously minimize customer order processing time, thereby providing convenience for the customer.

Claim 17. Suttle teaches said method, further comprising preparing the production data file for production of the photomask (col. 5, lines 57-64).

Suttle does not specifically teach that said preparation of production data file takes in less than approximately one hour. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include that said preparation of production data file takes in less than approximately one hour, because it would advantageously minimize customer order processing time, thereby providing convenience for the customer.

Claim 19. Suttle teaches said method, further comprising the method having an order entry process (col. 12, line 2).

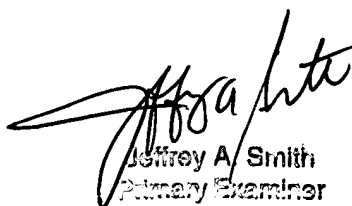
Suttle does not specifically teach that said order entry process has an error rate less than 0.5 percent. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Suttle to include that said order entry process has an error rate less than 0.5 percent, because it would advantageously minimize possible mistakes in processing of customer orders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mila Airapetian
Patent Examiner
Art Unit 3625



Jeffrey A. Smith
Primary Examiner